THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13484 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing the petitioner's Maxi Cab bearing registration No.AP 23/V-0297 vide vehicle check report No.551099 dated 21.12.2005, is arbitrary and illegal.

The check report dated 21.12.2005 shows that the vehicle was seized on the allegation that vehicle was proceeding towards Bhimavaram from Repalle, when check was conducted, the driver failed to produce permit, RC, FC, IC, Tax Proof, PUC and DL, thereby violated the provisions of Section 207 of the Motor Vehicles Act and Section 8 of the A.P. Motor Vehicles Taxation Act, 1963.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (rupees five thousand only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the Writ Petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

(G. ROHINI, J.)

7th July, 2006.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13484 OF 2006

7th July, 2006.

Between:

N. Prasanna Kumar. .. Petitioner.

And

The Secretary, Regional Transport Authority,
Ongole, Prakasam district and two others. .. Respondents.